

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JAMES LEE MACK

PLAINTIFF

v.

No. 4:22CV6-NBB-RP

MARYLEN STURDIVANT, ET AL.

DEFENDANTS

JUDGMENT

In accordance with the memorandum opinion entered this day:

- (1) the plaintiff's claims regarding *administration of the grievance process* are **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted;
- (2) Further, as the plaintiff's allegations against defendant *Richard Pennington* involved only his participation in the grievance process, he is **DISMISSED** with prejudice from this case;
- (3) In addition, the plaintiff's claims regarding *withholding of privileges* are **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted;
- (4) As the plaintiff's allegations against defendants *Marylen Sturdivant, Renita Hands, Marshea Fipps* and *Demetrius Mumford* involved only the withholding of privileges, they are likewise **DISMISSED** with prejudice from this case.
- (5) The plaintiff's claims against defendants *Superintendent Timothy Morris, Unit 29 Warden Lee Simon, Commissioner Burl Cain, and Deputy Commissioner Jeworski Mallet* regarding *unconstitutionally harsh general conditions of confinement* will, however, **PROCEED**;
- (6) In light of this memorandum opinion and judgment, the plaintiff's motions [23], [26] to extend the deadline to respond to the court's show cause order are **DISMISSED** as moot.

SO ORDERED, this, the 1st day of November, 2022.

/s/ Neal Biggers

NEAL B. BIGGERS

SENIOR U. S. DISTRICT JUDGE